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## VIII.

### THE INDIAN TERRITORY AND ITS INHABITANTS.

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BY COLONEL E. C. BOUDINOT.

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READ DECEMBER 23D, 1873.

MR. PRESIDENT, LADIES, AND GENTLEMEN,—The Indian Territory, where the principal civilized Indian tribes are located, is bounded on the north by the State of Kansas, on the south by Texas, on the east by Missouri and Arkansas, and on the west by Texas and the Territory of New Mexico. It contains about 70,000 square miles, or a larger area than the six New England States combined. In agricultural advantages and delightful climate, it is unsurpassed by any section of the country of equal extent; the south half of it is excellent for cotton, while corn and wheat and the best of fruits are produced in all its settled portions. It rivals Texas as a stock-country, and is much superior to Kansas in this respect. Coal, iron, lead, zinc, copper, and salt, and petroleum springs, abound throughout the Territory. The coal is bituminous and lignite, and is of a very superior quality. None but surface-measures have as yet been developed; these, at the Kansas line, are found eighteen inches in thickness. They increase as you travel south, until, near the southern boundary of the Territory, they are six feet thick. The principal tribes occupying this country are the Cherokees, in the north; the Creeks and Seminoles, in the middle; and the Choctaws and Chickasaws in the south. They are known as the five civilized tribes. All of them, except the Seminoles, have a written constitution and code of laws. These Indians have traditions that about 400 years ago they occupied extensive territory

in the north-western part of Mexico. They probably belonged to the Aztec empire. After the fall of Montezuma, they moved in a body across the continent to the shores of the Atlantic, being fifteen years on the journey, and fighting and conquering all the hostile tribes that opposed them. They adopted the vanquished, while many of the weaker tribes sought their alliance for protection. Remnants of the Uchees, Alabamas, fire-worshipping Natchez, and of other once powerful tribes, may be seen to-day among the Cherokees and Creeks. None of these obliterated tribes, so far as I have learned, except the Natchez, have any tradition that they formerly lived in Mexico. The traditions of these civilized tribes are fast fading away. Formerly a perfect system was observed in transmitting and perpetuating them. These civilized tribes number in the aggregate about 50,000 souls, divided, as nearly as can be ascertained from present data, as follows: Whites, who have become members of the tribes by marriage or adoption, 5,000; negroes, formerly slaves of the Indian, but now, with the single exception of the Choctaws, incorporated as citizens of the tribes, 10,000; leaving but 35,000 Indians, properly so called. Of these, one-half can speak the English language. Besides the civilized Indians, the savage tribes of Arapahoes, Kiowas, Cheyennes, Comanches, Osages, and a number of smaller tribes, numbering altogether 20,000, have been assigned reservations in this Indian Territory.

Nearly all of these wild Indians have a language peculiar to their individual tribes; yet they all speak the Comanche tongue, which seems to be considered by them as the correct language of the plains. The Choctaws and Chickasaws occupy a very desirable portion of the Indian Territory, bordering on Red River; they descended from a people called the Chickamicaws, who, according to tradition, were among the first inhabitants of the Mexican empire. These tribes speak the same language, and are no doubt the same people; though, as far back as any definite history can be obtained concerning them, they have maintained a separate tribal existence. The Chickasaws were an aggressive and warlike people; while the Choctaws, though defending their country with desperate valor, rarely made war for conquest. It is a singular fact, that although, a century ago, the Choctaws could not swim, the Chickasaws excelled in that art, and took especial pains to teach it to their children. The Choctaws and Chickasaws, in the time of De Soto, numbered 50,000 warriors; they number at the present day 20,000

souls, all told. The Choctaws, 15,000 strong, occupy a reservation of 6,688,000 acres in the south-east corner of the Territory ; the Chickasaws, 5,000 in number, own a reservation of 4,377,600 acres, lying west of the Choctaw Nation. Though each tribe has its separate legislature and civil government, neither can make any disposition of its lands without the consent of the other ; a Chickasaw has the same right in the Choctaw Nation that a Choctaw has, and *vice versa*. All the nations and tribes in the Indian Territory hold their lands in common, but there is a growing sentiment among them in favor of owning land in severalty. The Chickasaws have the honor of making the first movement as a nation towards this reform in the Indian policy. In their legislature of last fall, they adopted a memorial praying the government of the United States to allot them their lands in severalty, which have already been surveyed and sectionized. The Choctaws and Chickasaws are the only Indians that have abandoned the savage titles of chief and council ; their chief magistrates are governors, and their legislative bodies legislatures. There are four high schools and forty-eight neighborhood day-schools in these nations ; the Choctaws sustaining thirty-six of these at a cost of \$36,500, and the Chickasaws sixteen, at a cost of \$33,000. The Chickasaws send a number of their youth of both sexes to some of the best schools in the States at the public expense, making the total amount expended for purposes of education more than \$50,000. There is a strong sentiment among the leading men of these tribes in favor of coming into the Union as a state. The Creek and Seminole nations lie immediately north of the Choctaw and Chickasaw reservations : they speak the same language, and are in reality the same people. A portion of the Muscogee Nation seceded many years ago, and established themselves in Florida, and ever since have maintained a separate nationality. These seceders were, by the Muscogees, called Seminoles, which signifies "runaways". The Creeks, or Muscogees, number 13,000, and the Seminoles 2,300. The Muscogees were called Creeks by the English, because of the numerous small streams abounding in their country in Georgia. According to a tradition of the Creeks, they came from Asia. Crossing the Pacific, they landed near the Isthmus of Darien ; from thence to the north of Mexico ; and afterwards to their country upon the Atlantic shores, subduing the Alabamas, Uchees, and many other warlike tribes that ventured to oppose them. Whenever the Creeks decided to go to war in olden time, their principal chief caused to be displayed in the public

places a club, part of which was painted red ; hence the name "Red Sticks", given to the hostile Creeks in the wars with them. Within the memory of Indians now living, the Creeks, numbering, as I have said, 13,000 souls, occupied an extensive territory in Georgia and Alabama ; and, although at that time about 50,000 strong, they were considered a mere remnant of a once mighty nation. There is in the Creek Nation a class of Indians called Uchees. These were formerly a distinct and powerful tribe, until subjugated by the Creeks and incorporated in their nation. They were doubtless the original inhabitants of an extensive country near the Atlantic coast, in the vicinity of the present city of Savannah. Unlike the Alabamas, Natchez, and other tribes whose names and languages have been merged in the Muscogee and Cherokee, the Uchees still retain their name and language ; they have no tradition of ever having migrated from West to East.

The Creeks, but a few years ago, showed a marvellous respect for the decrees of their judicial tribunals. When a person was arraigned for an offence punishable with death, he was given a fair and impartial trial. If found guilty, he was sentenced to be shot at a certain state of the sun five days from that time. He was then dismissed, and he returned to his home, unaccompanied by any guard whatever. He passed the time, as usual, among his neighbors ; but punctually at the fatal hour he appeared voluntarily at the place of execution to die. There was no thought of escape, no writ of error, or motion for a new trial. To evade his sentence or be behind time on the fatal day was considered infamous. It must be confessed, however, that this nice sense of honor and respect for the law among the Creeks has been impaired by their advancement in civilization.

My own nation, the Cherokee, completes the list of what are known as the principal civilized tribes. We number at present, according to the official report for this year, of the Commissioner of Indian Affairs, about 15,000 ; but this includes about 1,500 negroes, 500 whites, and 1,500 Shawnees, Delawares, and other Indians who have become a part of the Cherokee Nation. We have some forty public free schools and two high schools. The buildings of the latter cost \$80,000 each. The Cherokees once had extensive settlements on the Appomattox River in Virginia, and formed the principal tribe in the Powhatan Confederation. That chief was a Cherokee. They are the only Southern Indians who count as high as one hundred by numeral names. All other Indians count only to ten ; after that, they

add units, as ten-one, ten-two, etc. The Cherokee calls twenty two-tens, while the Creek calls it ten-twos. Among the Cherokees, as well as among all the Southern Indians, there is a class of men called conjurors, who are held in the highest estimation by the common people. They profess miraculous powers. In times of disastrous droughts the Creek conjuror still exercises his mysterious incantations to produce rain, and generally succeeds in producing it, by continuing his ceremonies until the clouds are propitious. But the honorable profession in olden times had its embarrassments and responsibilities ; for should the conjuror fail to produce rain after a fair trial, he was put to death as an impostor ; and should he bring too much rain, he shared the same fate. Cities of refuge, similar to those of the Jews, were recognized sixty years ago among the Cherokees. Within their sacred limits no blood could be shed. "The beloved man," or man of wisdom and peace, was absolute ruler therein. Even an enemy at war, if found within the peaceful boundaries, was entertained with the greatest hospitality and dismissed without harm. The Cherokee language seems to be distinct and independent of all other Indian tongues ; it is smooth and soft, and when spoken, by females especially, sounds most musical. There are but two words in the language which require the touching of the lips to pronounce, those two words mean *water* and *salt*, and have the sound of the English letter **M**. The Cherokees are the only Indians who have an original alphabet for their language. The Creeks and Choctaws use the English characters, but the Cherokees have an alphabet of their own, invented by a Cherokee who could not talk the English language. His name was Sequoyah. This inventive genius — the Cadmus of his race — had none of the lights of science or civilization to guide him ; but, conceiving the idea of enabling the Indian to talk on paper, as he one day saw the agent of the United States doing, he shut himself up in his cabin for more than a year, and endured, like many other reformers and inventors, the jibes and jeers of the ignorant and thoughtless, who all pronounced him crazy, until he came forth with a perfect alphabet, and established his claim to be ranked among the first inventive minds of the century. He traced the characters of his alphabet on chips and pieces of bark. This alphabet was invented in 1822 ; it consists of seventy-eight characters, and, strange to say, is most easily learned by children. Soon after the Cherokee alphabet was perfected, type was procured and a newspaper established called the *Cherokee Phoenix*. My father

was the first editor of that paper. One-half was published in the Cherokee language, and the rest in English. After the Cherokees became settled in their present homes the paper was continued, under the name of the *Cherokee Advocate*, and is still printed in the Cherokee and English languages, so that it may reach all classes of the people. It is now edited by my brother, William P. Boudinot.

In the north-east corner of the Indian Territory are situated the remnants of those once powerful and warlike tribes, the Senecas and Shawnees. Most of the latter are of the Cherokee Nation, but some still have a separate reservation east of the Cherokees. The Modocs have also been recently removed to this part of the Indian Territory. One great error in the legislation of this country with reference to the Indians, for the past forty years, has been that no discrimination has been made between the civilized and the savage. The Cherokee or Choctaw Indian who graduates from your best colleges studies a profession, and takes respectable rank among your ministers, doctors, and lawyers, is still, in the contemplation of your laws, just as much of a savage as the warrior of Red Cloud's band whose Alma Mater are the bow and scalping-knife.

The first law of the country to regulate trade and intercourse with the Indian tribes was enacted in 1790. At that time no Indian tribe approached civilization, and the law was uniform and proper. But since then the Cherokees, Creeks, and Seminoles, Choctaws and Chickasaws, have become civilized. More than a generation has passed away since they exchanged the bow for the plough, and their superstitions and traditions for the Bible and school-book. Yet, while they have emerged from the darkness of barbarism to the light of civilization, no one could discover it from the character of your laws. It would be out of place for me on this occasion to discuss the Indian question; but, in connection with the statements I have submitted concerning the civilized Indian of the Indian Territory, I venture to give very briefly my own ideas of the proper policy to be pursued in relation to them. These are: The passage by Congress of a Territorial bill for the Indian country which will provide for a survey and sectionizing of the Territory; the establishment of United States courts; a delegate to Congress, and all the necessary officers of a strong civil local government for the protection of life and property, which will declare, at least all the civilized Indians, citizens of the United States, authorize the selection by them of 160 acres of land for every man, woman, and child; the same to be inalienable for a term of years; the lands remain-

ing unappropriated to be sold by the United States government to actual settlers at not less than \$1.25 per acre, and the funds accruing to be invested for the benefit of the Indians,—the interest of which should be used in great part, if not entirely, as an educational fund. But the plan to organize a civil government over the civilized Indian tribes, though solemnly agreed to in the latest treaties which have been made with them, is denounced by some as a job, and as being in the interest of railroad corporations. Certain railways have grants of land through this Indian Territory conditioned on the extinguishment of the Indian title; and it is loudly proclaimed that the organization of a civil government by Congress will extinguish the Indian title. I have prepared a bill which is now before the appropriate committee of Congress in strict conformity to the treaty, for the establishment of a Territorial government over the Indian Territory, in which I have endeavored to obviate this objection. The seventeenth section of this bill reads as follows: "That nothing in this act shall be construed as extinguishing, or affecting in the slightest degree, the Indian title to any of the lands of any of the nations or tribes within the said Territory of Oklahoma; nor shall anything in this act be construed as impairing or interfering with the rights, privileges, or jurisdiction of the tribal governments within said Territory." The tax-gatherer is sent to the civilized Indian tribes by the authority of your Congress and your courts to levy tribute for the support of this great country, in spite of the solemn treaty which stipulated it should not be done. Is it not right and just, then, that we should have some voice in your government when you compel us to contribute to its support? Then make us citizens of the United States, clothe us with the prerogatives of such, arm us with the power and rights of American citizens. Depend upon it, the civilized Indian will bless you, if he but understands that he is elevated from the degrading rank of a ward and subject to the proud position of American manhood and citizenship. You struck the shackles from the limbs of four million slaves, and, while still dazzled by the full blaze of liberty, you girded them with the armor of American citizenship, and bade them protect their new-born rights. You transformed the ignorant slave into an American citizen. Be as just and generous to the civilized Indian. His title in common is insecure. Give him a better one in severalty. He is subject to your laws and to your courts. Give him a voice in making the laws which are to govern him, and the right to sit upon a jury which is to try his own countrymen. He

is subject to your revenue laws, and pays taxes to the support of your government. Give him that representation which should go hand-in-hand with taxation. Give the Indian those equal rights before the law which are conceded to all other people. Arm him with the powers and privileges of an American citizen. Give him that title to his land which he can protect and defend. Then, and not till then, will he have a country which he can call his own; then will he be possessed of land which is his indefeasible property; then will he have a home where he can rest his weary feet with no dark forebodings of the future.